

REMARKS

Claims 1-12 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. § 121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group I, Claims 1-4 and 11 are drawn to an AC electrosurgical apparatus, classified in class 607, subclass 101;

Group II, Claims 5 and 12 are drawn to a method of power control, classified in class 128, subclass 898; and

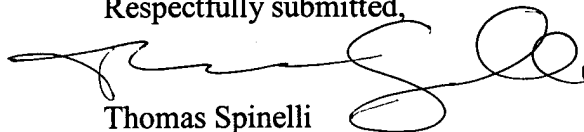
Group III, Claims 6-10 are drawn to DC electrosurgical apparatus, classified in class 607, subclass 101.

It is the Examiner's position that the inventions listed as Groups I, II and III are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants elect to prosecute the subject matter of Group I, Claims 1-4 and 11. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



Thomas Spinelli
Registration No.: 39,533

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS:cm/jam